

REMARKS

The Office Action objected to the specification, rejected claims and indicated that other claims were allowed. Applicant amended the Abstract and claims 1-3, and added claims 31-34. Claims 1-4, 6-8, 26 and 31-34 remain. Applicant requests that the Examiner reconsider and withdraw the objection and rejection.

Objections to Specification

The Office Action objected to the presence of legal terminology in the Abstract. Applicant replaced the offending language with non-legal terminology. Applicant requests that the Examiner reconsider and withdraw the objection.

Claim Objections

The Office Action objected to claims 1-3 for various informalities. Applicant made the suggested changes to claims 1 and 2. Applicant wishes to point out that the original modification to claim 1 (Amendment dated 15 July 2003) made such changes, but such changes did not appear in the subsequent amendment (Amendment dated 31 October 2003).

Applicants decline to change claim 3 as suggested by the Examiner. The first suggestion (change "side plate" to - body- -) does not conform to the specification (*see, e.g.* paragraph 23 - "side plate 57 could include a windage cover"). Rather than the second suggestion, Applicant modified claim 3 in the same manner as claim 2. Applicant requests that the Examiner reconsider and withdraw the objection.

Claim Rejections - 35 U.S.C. § 102

The Office Action rejected claims 1, 2, 4 and 26 as being anticipated by United States Patent Number 5,799,952 to Morrison *et al.* ("Morrison"). Applicant asserts that the rejection was improper

and must be withdrawn. Specifically, Applicant believes that Morrison fails to disclose or to suggest all of the features of independent claim 1 and, by necessity, dependent claims 2, 4 and 26. Claim 1 recites, *inter alia*, that the passageways correspond to "respective" brush packs. Morrison discloses that all of the passageways correspond to the second stage of the brush seal. No passageway corresponds to the first stage. None of the cited references provide a motivation for such a modification. Applicants request that the Examiner reconsider and withdraw the rejection.

Allowable Subject Matter

The Office Action indicated that claims 3 and 6-8 were allowed. Applicant did not modify claims 6-8.

Newly Added Claims

Applicant added new claims 31-34. The newly added claims define inventions that are patentable over the cited references. Claims 31 and 32 correspond to claims 3 and 6, but rewritten in independent form. Claims 33 and 34 mirror claims 7 and 8.

Conclusion

In light of the foregoing, Applicant submits that the claims are now in condition for allowance. Applicant requests that the Examiner reconsider and withdraw the objections and rejections. Applicant solicits the allowance of claims 1-4, 6-8, 26 and 31-34 at an early date.

Respectfully submitted,



Brian J. Hamilla
Registration Number 38,482
Attorney for Applicants

Pratt & Whitney
Patent Department
Mail Stop 132-13
400 Main Street
East Hartford, CT 06108
Voice: 860.557.1089

O:\Teams\Intellectual Property\Patent Applications\EH-10712\EH-10712 Amendment 3.doc